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REMARKS

Claims. In the Non-Final Office Action, Examiner Sanei objected to and rejected pending claims 1-7 on various grounds. The Applicant responds to each rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112:

- A. Examiner Sanei rejected claims 1, 6 and 7 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,375,533 to *Toriaki* in view of U.S. Patent No. 6,635,993 to *Niimi*

The Applicant has thoroughly considered Examiner Sanei's remarks concerning the patentability of claims 1, 6 and 7 over *Toriaki* in view of *Niimi*. The Applicant has also thoroughly read *Toriaki* and *Niimi*. To warrant this §103(a) rejection of claims 1, 6 and 7, all the claim limitations recited in independent claim 1 must be taught or suggested by the combination of *Toriaki* and *Niimi*. See, MPEP §2143. The Applicant respectfully traverses this §103(a) rejection of claims 1, 6 and 7, because *Toriaki* and *Niimi* in combination fails to teach or suggest "the ceramic wall (1) and the plug (2) being jointed by a fusion joint (4), characterized in that the fusion joint (4) comprises an alloy comprising substantially molybdenum and aluminum" as recited in independent claim 1.

Specifically, as best illustrated in FIGS. 1 and 2, *Toriaki* teaches a ceramic wall 12 and a plug 50 being welded together, and fails to teach or suggest ceramic wall 12 and plug 50 being jointed by a fusion joint. See, *Toriaki* at column 5, lines 1-10.

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On the other hand, as best illustrated in FIG. 8, *Niimi* teaches a fusion joint 6 interposed between a ceramic member 4 and a metal member 7 wherein fusion joint 6 consists of a porous bone structure 14 and an intermediate glass layer 13. See, *Niimi* at column 4, line 14 to column 6, line 11. Nonetheless, *Niimi* fails to teach or suggest fusion joint 6 having an alloy comprising substantially molybdenum and aluminum. In fact, the Applicant respectfully asserts that *Niimi* teaches away from fusion joint 6 having an alloy comprising substantially molybdenum and aluminum in view of the fact that *Niimi*'s inventive principle is solely directed to fusion joint 6 consisting of porous bone structure 14 and intermediate glass layer 13.

Withdrawal of the rejection of independent claim 1 under 35 U.S.C. §103(a) as being unpatentable over *Toriaki* in view of *Niimi* is therefore respectfully requested.

Claims 6 and 7 depend from independent claim 1. Therefore, dependent claims 6 and 7 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 6 and 7 are allowable over *Toriaki* in view of *Niimi* for at least the same reasons as set forth with respect to independent claim 1 being allowable over *Toriaki* in view of *Niimi*. Therefore, withdrawal of the rejection of dependent claims 6 and 7 under 35 U.S.C. §103(a) as being unpatentable over *Toriaki* in view of *Niimi* is respectfully requested.

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- B.** Examiner Sanei rejected claims 2 and 3 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,375,533 to *Toriaki* et al. in view of U.S. Patent No. 6,635,993 to *Niimi* and in further view of U.S. Patent Publication No. 20020141294 to *Chen*

Claims 2 and 3 depend from independent claim 1. Therefore, dependent claims 2 and 3 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 2 and 3 are allowable over *Toriaki* in view of *Niimi* and in further view of *Chen* for at least the same reasons as set forth with respect to independent claim 1 being allowable over *Toriaki* in view of *Niimi*. Therefore, withdrawal of the rejection of dependent claims 2 and 3 under 35 U.S.C. §103(a) as being unpatentable over *Toriaki* in view of *Niimi* and in further view of *Chen* is respectfully requested.

- C.** Examiner Sanei rejected claims 4 and 5 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,375,533 to *Toriaki* et al. in view of U.S. Patent No. 6,635,993 to *Niimi* and in further view of U.S. Patent No. 6,020,685 to *Wei*

Claims 4 and 5 depend from independent claim 1. Therefore, dependent claims 4 and 5 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 4 and 5 are allowable over *Toriaki* in view of *Niimi* and in further view of *Wei* for at least the same reasons as set forth with respect to independent claim 1 being allowable over *Toriaki* in view of *Niimi*. Therefore, withdrawal of the rejection of dependent claims 4 and 5 under 35 U.S.C. §103(a) as being unpatentable over *Toriaki* in view of *Niimi* and in further view of *Wei* is respectfully requested.

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SUMMARY

Examiner Sanei's rejections of claims 1-7 have been obviated by the remarks herein supporting an allowance of claims 1-7 over the art of record, particularly *Toriaki* and *Niimi*. The Applicant respectfully submits that claims 1-7 as listed herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Sanei is respectfully requested to contact the undersigned at the telephone number listed below.

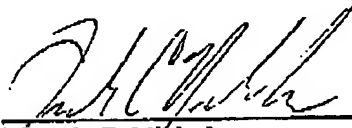
Dated: **March 1, 2005**

Respectfully submitted,
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